

## UNITED STATES DISTRICT COURT

**FILED**

for the

District of \_\_\_\_\_

Division \_\_\_\_\_

MAY 02 2018

Clerk, U.S. District Court  
Texas Eastern

Brandy R. McKinnon

Case No. 2:18-CV-179 JRG/RSP

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Hobby Lobby Stores, Inc.  
Kim Greenlee

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No**COMPLAINT FOR EMPLOYMENT DISCRIMINATION****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Brandy Rachel McKinnon
Street Address	135 Velma Drive
City and County	Kilgore Gregg County
State and Zip Code	Texas 75662
Telephone Number	903-984-5799
E-mail Address	Bebex1980@aol.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	Hobby Lobby Stores, Inc
Job or Title <i>(if known)</i>	Creative Craft store
Street Address	7707 SW 44th St
City and County	Oklahoma City Canadian
State and Zip Code	Oklahoma 73179
Telephone Number	(405) 745-1100
E-mail Address <i>(if known)</i>	

## Defendant No. 2

Name	Kim Greenlee
Job or Title <i>(if known)</i>	Store Manager Store#36
Street Address	305-A W. Loop 281
City and County	Longview Gregg
State and Zip Code	Texas 75605
Telephone Number	(903) 663-3855
E-mail Address <i>(if known)</i>	

## Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☒ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☒ Other acts *(specify)*: slandering my name and my character

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)  
Every Monday on truck days, all departments were given a helper, I was singled out and denied help

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race \_\_\_\_\_
- ☐ color \_\_\_\_\_
- ☐ gender/sex \_\_\_\_\_
- ☐ religion \_\_\_\_\_
- ☐ national origin \_\_\_\_\_
- ☐ age *(year of birth)* \_\_\_\_\_ *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*  
mental health issue, on medication

E. The facts of my case are as follows. Attach additional pages if needed.

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	Hobby Lobby Store #36
Street Address	305-A W. Loop 281
City and County	Longview Gregg
State and Zip Code	Texas 75605
Telephone Number	(903) 663-3855

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

☐ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☒ Other federal law *(specify the federal law)*:

Title VII, Section 704, Fair Employment Act S.2019, H.R. 4152

☐ Relevant state law *(specify, if known)*:

☐ Relevant city or county law *(specify, if known)*:

I have included the witness statements that I was not the only employee with medical problems that Manager Greenlee chose to single out.

At the time of my discrimination; another employee was also under a doctor's care and mocked about her condition, refused the doctor's written request for accommodation for her ailment and was forced out of her job.

I have sent these statements to the EEOC, I only found out through them about the slander by Manager Greenlee from the EEOC, that she falsely states that because of my disability that "I said" that I would come back and shoot people, damage property in the parking lot or run over people, which I did not say.

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*(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)*

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

January 16, 2015

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- B. The Equal Employment Opportunity Commission (check one):

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on (date) 04/19/2018.

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)*

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I have not been made aware of more slander from Kim Greenlee but I ask that my name and my mental health be no longer slandered by her or Hobby Lobby.

The slander was revealed by the EEOC of what Kim Greenlee states what I said and it was lies. Because she claimed I made terroristic threats which would have been turned into law enforcement and to corporate which they were not because I didn't make them. And she lied to a government agency.

Damages would be the loss of income. I made \$26,000 year.

Seeking amount of \$100,000 for lost wages and defamation of character.

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## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05-01-2018

Signature of Plaintiff

Printed Name of Plaintiff

Brandy R. McKinnon  
Brandy R. McKinnon

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address